



JPW

PATENT
Customer No. 22,852
Attorney Docket No. 06882.0090-04000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Gary T. Neel et al.) Group Art Unit: 3736
)
Application No.: 10/706,663) Examiner: To Be Assigned
)
Filed: November 12, 2003)
)
For: Systems and Methods for Blood)
Glucose Sensing)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents, except for U.S. Patents 6,413,213 and 5,989,917, were previously submitted in a prior application, Application No. 10/286,648, filing date November 1, 2002, now Patent No. 6,743,635, upon which Applicants rely for the benefits provided in 35 U.S.C. § 120.

In light of the waiver of 37 C.F.R. § 1.98(a)(2)(i) provided in 1273 OG 55 for patent applications filed after June 30, 2003, copies of U.S. Patents 6,413,213 and 5,989,917 are not required and therefore are not enclosed.

Applicants respectfully request that the Examiner consider the listed document and indicate that it was considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitute "prior art." If the Examiner applies the document as prior art against any claim in the application and applicants determine that the cited document does not constitute "prior art" under United States law, applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should it be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

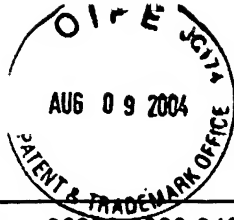
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 9, 2004

By: _____



John M. Mulcahy
Reg. No. 55,940



OMB No. 0651-0011

INFORMATION DISCLOSURE CITATION

Atty. Docket No.	06882.0090-04000	Appln. No.	10/706,663
Applicant	Gary T. Neel et al.		
Filing Date	November 12, 2003	Group:	3736

U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	4,714,874	12/1987	Morris et al.			
	4,894,137	01/1990	Takizawa et al.			
	4,900,424	02/1990	Birth et al.			
	5,120,420	06/1992	Nankia et al.			
	5,128,015	07/1992	Szuminsky et al.			
	5,141,868	08/1992	Shanks et al.			
	5,264,103	11/1993	Yoshioka et al.			

FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
EP 0 170 375 B1	05/1990	EPO			
EP 1 074 832 A1	02/2001	EPO			
WO 01/67099 A1	09/2001	PCT			
WO 01/71328 A1	09/2001	PCT			
WO 01/73124	10/2001	PCT			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Lance S. Kuhn, "Biosensors: Blockbuster or Bomb?, Electrochemical Biosensors for Diabetes Monitoring," <i>The Electrochemical Society Interface</i> , pp. 26-31, Winter 1998.

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce

INFORMATION DISCLOSURE CITATION

Atty. Docket No.	06882.0090-04000	Appln. No.	10/706,663
Applicant	Gary T. Neel et al.		
Filing Date	November 12, 2003	Group:	3736

U.S. PATENT DOCUMENTS							
Examiner Initial*		Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
		5,266,179	11/1993	Nankai et al.			
		5,288,636	02/1994	Pollmann et al.			
		5,352,351	10/1994	White et al.			
		5,366,609	11/1994	White et al.			
		5,395,504	03/1995	Saurer et al.			
		5,437,999	08/1995	Diebold et al.			
		5,438,271	08/1995	White et al.			
		5,494,562	02/1996	Maley et al.			
		5,502,396	03/1996	Desarzens et al.			
		5,508,171	04/1996	Walling et al.			
		5,526,120	06/1996	Jina et al.			

FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce

INFORMATION DISCLOSURE CITATION

Atty. Docket No.	06882.0090-04000	Appln. No.	10/706,663
Applicant	Gary T. Neel et al.		
Filing Date	November 12, 2003	Group:	3736

U.S. PATENT DOCUMENTS							
Examiner Initial*		Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
		5,575,895	11/1996	Ikeda et al.			
		5,582,697	12/1996	Ikeda et al.			
		5,589,045	12/1996	Hyodo			
		5,628,890	05/1997	Carter et al.			
		5,650,062	07/1997	Ikeda et al.			
		5,682,884	11/1997	Hill et al.			
		5,708,247	01/1998	McAleer et al.			
		5,720,862	02/1998	Hamamoto et al.			
		5,762,770	06/1998	Pritchard et al.			
		5,820,551	10/1998	Hill et al.			
		5,837,546	11/1998	Allen et al.			
		5,925,021	07/1999	Castellano et al.			

FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce

INFORMATION DISCLOSURE CITATION

Atty. Docket No.	06882.0090-04000	Appln. No.	10/706,663
Applicant	Gary T. Neel et al.		
Filing Date	November 12, 2003	Group:	3736

U.S. PATENT DOCUMENTS							
Examiner Initial*		Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
		RE 36,268	08/1999	Szuminsky et al.			
		5,951,836	09/1999	McAleer et al.			
		5,989,917	11/23/99	McAleer et al.			
		6,071,391	06/2000	Gotoh et al.			
		6,103,033	08/2000	Say et al.			
		6,120,676	09/2000	Heller et al.			
		6,129,823	10/2000	Hughes et al.			
		6,143,164	11/2000	Heller et al.			
		6,153,069	11/2000	Pottgen et al.			
		6,156,173	12/2000	Gotoh et al.			
		6,193,873 B1	02/2001	Ohara et al.			
		6,241,862 B1	06/2001	McAleer et al.			

FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce

INFORMATION DISCLOSURE CITATION

Atty. Docket No.	06882.0090-04000	Appln. No.	10/706,663
Applicant	Gary T. Neel et al.		
Filing Date	November 12, 2003	Group:	3736

U.S. PATENT DOCUMENTS							
Examiner Initial*		Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
		6,258,229 B1	07/2001	Winarta et al.			
		6,270,637 B1	08/2001	Crismore et al.			
		6,284,125 B1	09/2001	Hodges et al.			
		6,287,451 B1	09/2001	Winarta et al.			
		6,299,757 B1	10/2001	Feldman et al.			
		6,309,526 B1	10/2001	Fujiwara et al.			
		6,338,790 B1	01/2002	Feldman et al.			
		6,377,894 B1	04/2002	Deweese et al.			
		6,413,213 B1	07/02/02	Essenpreis et al.			
		6,413,411 B1	07/2002	Pottgen et al.			
		6,461,496 B1	10/2002	Feldman et al.			
		6,503,381 B1	01/2003	Gotoh et al.			

FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce

INFORMATION DISCLOSURE CITATION

Atty. Docket No.	06882.0090-04000	Appln. No.	10/706,663
Applicant	Gary T. Neel et al.		
Filing Date	November 12, 2003	Group:	3736

U.S. PATENT DOCUMENTS							
Examiner Initial*		Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
		6,531,040 B2	03/2003	Musho et al.			
		6,540,891 B1	04/2003	Stewart et al.			
		6,591,125 B1	07/2003	Buse et al.			

U.S. PATENT APPLICATION DOCUMENTS							
Examiner Initial*		Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
		2002/0053523 A1	05/2002	Liamos et al.			
		2002/0084196 A1	07/2002	Liamos et al.			
		2002/0092612 A1	07/2002	Davies et al.			
		2002/0148739 A2	10/2002	Liamos et al.			
		2002/0157947 A1	10/2002	Rappin et al.			
		2002/0157948 A2	10/2002	Liamos et al.			
		2002/0185385 A1	12/2002	Charlton			
		2003/0032875 A1	02/2003	Tanilike et al.			

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce